



## State of South Carolina Office of the Governor

NIKKI R. HALEY  
GOVERNOR

May 14, 2015

OFFICE OF EXECUTIVE  
POLICY AND PROGRAMS

Mayor Eric Boughman  
City Of Liberty  
206 W Front Street  
Liberty, SC 29657-1010

Dear Mayor Eric Boughman:

The State Office of Victims Assistance (SOVA) is sending this notice to inform you that we have completed the State 90-Day Follow-up Review for City of Liberty Victim Assistance Program and a copy of official report is attached for you review. Due to Proviso 117.55, SOVA is now legislatively mandated to conduct programmatic reviews on any entity or non-profit organization receiving victim assistance funding to ensure that the crime victim funds are expended in accordance with the law.

Once again enclosed is a copy of our audit results. Please be advised that all SOVA audits and follow-up reports are public information. You will have 5 business days from the completion date stated on the front of this report to provide me with a written response. At the end of 5 business days, this report will be posted on the SOVA website at [www.sova.sc.gov](http://www.sova.sc.gov) under the SOVA auditing tab.

Should you have any further questions or concerns, please feel free to contact me or Ms. Robin A. Eaddy at (803)734-1048.

Sincerely,

*for Ethel Douglas Ford*  
Harry Barker, Ph.D.  
Director

cc: Chief Adam C. Gilstrap  
Erin Lewis

VICTIMS' COMPENSATION • VICTIM/WITNESS ASSISTANCE • TRAINING • INFORMATION • REFERRALS

STATE OFFICE OF VICTIM ASSISTANCE  
1205 PENDLETON STREET, EDGAR A. BROWN BUILDING, ROOM 401  
COLUMBIA, SC 29201 (803) 734-1900  
[WWW.SOVA.SC.GOV](http://WWW.SOVA.SC.GOV)



## **Office of the Governor State Office of Victim Assistance**

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June 30, 2011

### **City of Liberty Municipal Court State Auditor's Report**

May 14, 2015

### **90 Day Follow-up Review**

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**Disclaimer: The recommendations included in this report were made by the State Auditor’s Office. The SOVA follow-up review was based on compliance with the State Auditor’s Office recommendations. In addition, all SOVA follow-up reviews (including this one) are conducted to ensure compliance with applicable laws and regulations. (See Appendix A of this report to review the Initial State Issued Audit Report.)**

**Acronyms:**

SOVA – State Office of Victims Assistance  
FFA – Fines, Fees, and Assessment  
STRRF – State Treasurer’s Revenue Remittance Form

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## **Introduction and Laws**

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### **PREFACE**

This programmatic review was initiated in response to a request for a 90 Day Follow up audit sent from the SC State Auditor's Office on June 30, 2012. However, the audit was performed on June 30, 2011 by the State Auditor's Office. On January 8, 2015, the Director of SOVA issued a letter to the City Administrative Office and the Public Safety Department to inform them of the City of Liberty's State Issued 90 Day Follow up audit being conducted by the State Office of Victim Assistance (SOVA). The audit was conducted on February 25, 2015.

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### ***Governing Laws and Regulations***

#### ***Proviso 117.55***

General Provision 117.55. (GP: Assessment Audit / Crime Victim Funds)

If the State Auditor finds that any county treasurer, municipal treasurer, county clerk of court, magistrate, or municipal court has not properly allocated revenue generated from court fines, fines, and assessments to the crime victim funds or has not properly expended crime victim funds, pursuant to Sections 14-1-206(B)(D), 14-1-207(B)(D), 14-1-208(B)(D), and 14-1-211(B) of the 1976 Code, the State Auditor shall notify the State Office of Victim Assistance. The State Office of Victim Assistance is authorized to conduct an audit which shall include both a programmatic review and financial audit of any entity or non-profit organization receiving victim assistance funding based on the referrals from the State Auditor or complaints of a specific nature received by the State Office of Victim Assistance to ensure that crime victim funds are expended in accordance with the law. Guidelines for the expenditure of these funds shall be developed by the Victim Services Coordinating Council. The Victim Services Coordinating Council shall develop these guidelines to ensure any expenditure which meets the parameters of Article 15, Chapter 3, and Title 16 is an allowable expenditure.

*Proviso 117.55 (cont.)*

Any local entity or non-profit organization that receives funding from revenue generated from crime victim funds is required to submit their budget for the expenditure of these funds to the State Office of Victim Assistance within thirty days of the budget's approval by the governing body of the entity or non-profit organization. Failure to comply with this provision shall cause the State Office of Victim Assistance to initiate a programmatic review and a financial audit of the entity's or non-profit organization's expenditures of victim assistance funds. Additionally, the State Office of Victim Assistance will place the name of the non-compliant entity or non-profit organization on their website where it shall remain until such time as they are in compliance with the terms of this proviso. Any entity or non-profit organization receiving victim assistance funding must cooperate and provide expenditure/program data requested by the State Office of Victim Assistance. If the State Office of Victim Assistance finds an error, the entity or non-profit organization has ninety days to rectify the error. An error constitutes an entity or non-profit organization spending victim assistance funding on unauthorized items as determined by the State Office of Victims Assistance. If the entity or non-profit organization fails to cooperate with the programmatic review and financial audit or to rectify the error within ninety days, the State Office of Victim Assistance shall assess and collect a penalty in the amount of the unauthorized expenditure plus \$1,500 against the entity or non-profit organization for improper expenditures. This penalty plus \$1,500 must be paid within thirty days of the notification by the State Office of Victim Assistance to the entity or non-profit organization that they are in non-compliance with the provisions of this proviso. All penalties received by the State Office of Victim Assistance shall be credited to the General Fund of the State. If the penalty is not received by the State Office of Victim Assistance within thirty days of the notification, the political subdivision will deduct the amount of the penalty from the entity or non-profit organization's subsequent fiscal year appropriation.

***Proviso 97.9***

**97.9 (TREASURY: Penalties for Non-reporting)**

If a municipality fails to submit the audited financial statements required under Section 14- 1-208 of the 1976 Code to the State Treasurer within thirteen months of the end of their fiscal year,

*Proviso 97.9 Cont.*

the State Treasurer must withhold all state payments to that municipality until the required audited financial statement is received.

If the State Treasurer receives an audit report from either a county or municipality that contains a significant finding related to court fine reports or remittances to the Office of State Treasurer, the requirements of Proviso 117.55 shall be followed if an amount due is specified, otherwise the State Treasurer shall withhold twenty-five percent of all state payments to the county or municipality until the estimated deficiency has been satisfied.

If a county or municipality is more than ninety days delinquent in remitting a monthly court fines report, the State Treasurer shall withhold twenty-five percent of state funding for that county or municipality until all monthly reports are current.

After ninety days, any funds held by the Office of State Treasurer will be made available to the State Auditor to conduct an audit of the entity for the purpose of determining an amount due to the Office of State Treasurer, if any.

***SC Code of Law  
Title14***

**Courts – General Provisions**

Collection/Disbursement of Crime Victim Monies at the Municipal & County Levels: below is a brief synopsis of applicable sections.

- **Sec. 14-1-206, subsection(s) A, B & D:** A person who is convicted of, pleads guilty or nolo contendere to, or forfeits bond for an offense occurring after June 30, 2008, tried in general sessions court must pay an amount equal to 107.5 percent of the fine imposed as an assessment. The county treasurer must remit 35.35 % of the revenue generated by the assessment imposed in general sessions to the county to be used exclusively for the purpose of providing direct victim services and remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month.

SC Code of Law  
Title 14 (cont.)

- **Sec. 14-1-207 Subsection(s) A, B & D:** A person who is convicted of pleads guilty or nolo contendere to, or forfeits bond for an offense occurring after June 30, 2008, tried in magistrate's court must pay an amount equal to 107.5 percent of the fine imposed as an assessment.
- **Sec. 14-1-207 Subsection(s) A, B & D (cont.):** The county treasurer must remit 11.16 % of the revenue generated by the assessment imposed in magistrate's court to the county to be used exclusively for the purpose of providing direct victim services and remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month.
- **Sec. 14-1-208 Subsection(s) A, B & D:** A person who is convicted of, pleads guilty or nolo contendere to, or forfeits bond for an offense occurring after June 30, 2008, tried in municipal's court must pay an amount equal to 107.5 percent of the fine imposed as an assessment. The county treasurer must remit 11.16 % of the revenue generated by the assessment imposed in municipal court to the county to be used exclusively for the purpose of providing direct victim services and remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month.
- **Sec. 14-1-211 Subsection A, B, & D:** A one hundred dollar surcharge is imposed on all convictions obtained in general sessions court and a twenty-five dollar surcharge is imposed on all convictions obtained in the magistrate's and municipal court must be retained by the jurisdiction which heard or processed the case and paid to the city or county treasurer. Any funds retained by the county or city treasurer must be deposited into a separate account for the exclusive use for all activities related to those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. These funds must be used for, but are not limited to, salaries, equipment that includes computer equipment and internet access,



or other expenditures necessary for providing services to crime victims. All unused funds must be carried forward from year to year and used exclusively for the provision of services to the victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years.

- **Sec. 14-1-207 Subsection(s) A, B & D (cont.):** To ensure that surcharges imposed pursuant to this section are properly collected and remitted to the city or county treasurer, the annual independent external audit required to be performed for each municipality and each county must include a review of the accounting controls over the collection, reporting, and distribution of surcharges from the point of collection to the point of distribution and a supplementary schedule detailing all surcharges collected at the court level, and the amount remitted to the municipality or county.

The supplementary schedule must include the following elements:

- (a) All surcharges collected by the clerk of court for the general sessions, magistrates, or municipal court;
- (b) The amount of surcharges retained by the city or county treasurer pursuant to this section;
- (c) The amount of funds allocated to victim services by fund source; and
- (d) How those funds were expended, and any carry forward balances.

The supplementary schedule must be included in the external auditor's report by an "in relation to" paragraph as required by generally accepted auditing standards when information accompanies the basic financial statements in auditor submitted documents.

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## **Introduction and Legislative**

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### **PRIOR AUDIT RESULTS**

The SC State Legislative Proviso 117.55 mandates the State Office Victim Assistance to conduct a 90 Day Follow up review on any entity or non-profit organization receiving victim assistance funding with previously found errors to ensure necessary corrective action has taken place; thereby ensuring compliance with all applicable state laws and regulations. As noted, the State Auditor's Office conducted an audit of the City of Liberty Municipal Court Fines, Fees, and Assessment (FFA) Fund on June 30, 2011. This audit was received by SOVA on June 20, 2012.

**This 90 Day Follow up audit for the City of Liberty was based on the SC State Auditor's Office initial audit findings and recommendations. (See Appendix A-State Audit)**

**SOVA Audit Objective was;**

- To determine if all errors and recommendations issued by the SC State Auditor's Office were adhered to as required by state laws and regulations.

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### **RESULTS IN BRIEF**

Yes, the City of Liberty corrected all errors and recommendations issued by the SC State Auditor's Office. However, they did not develop and implement written policies and procedures to ensure victim assistance revenue is used only for approved expenditures in accordance with State law. Also, the City did not use time and activity reports to document the victim advocate's time and activities spent providing direct victim services to crime victims. Further review of these issues will be conducted within the SOVA initial audit.

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**Objective(s), Conclusion(s), Recommendation(s), and Comments**

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**A. Assessment and Collection of Surcharges****Objective**

Did the Court implement procedures to ensure that conviction surcharges are properly assessed and collected in accordance to State law?

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**Conclusion**

Yes, the Municipal Court has implemented procedures to ensure that all current resources are up to date. During the audit interview, the Municipal Court Judge and Court Clerk/Treasurer stated they were using the LawTrak computer management system which calculates and assess conviction surcharges as required by the Court Administration and Legislature.

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**Background**

Section 14-1-212 (A) of the South Carolina Code of Laws  
SC Governing Laws Proviso 90.5 (A)

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**Discussion**

The State Auditor's initial site visit for the City of Liberty Municipal Court dated June 30, 2011 noted during their testing of law enforcement funding surcharges that the court did not assess and collect the \$25 law enforcement funding surcharge on seven of the twenty-five remittances tested. The SC Code of Law 14-1-212 (A) states that a twenty-five dollar surcharge is imposed on all fines, forfeitures, escheatment, or other monetary penalties imposed in the municipal court for misdemeanor traffic offenses or for non-traffic violations.

The State Auditor's report for the City of Liberty also noted the Court did not assess and collect the criminal justice academy surcharge on one out of twenty-five remittances tested.

The State Auditor recommended the court implement procedures to ensure that conviction surcharges are properly assessed and collected in accordance to State law. Prior to the site visit, SOVA requested written procedures from the City Clerk/Treasurer that would ensure that the conviction surcharge is assessed and collected in accordance with State law.

After interviewing the Municipal Court Judge and Court Clerk /Treasurer during the site visit, it was determined that the Court had implemented procedures to ensure the conviction surcharges and fees are assessed and collected in accordance with State law.

During the course of this audit, the municipal court submitted written policies and procedures stating they have been using the LawTrak Records Management Computer System since October 2013. At the conclusion of the site visit, the City Clerk was asked to submit written policies and procedures to SOVA regarding the conviction surcharge.

To ensure the conviction surcharge is assessed and collected in accordance with State law, the municipal court took the following steps as outlined in the written policies and procedures and noted below:

- The Municipal Court Judge and Court Clerk/Treasurer stated to the SOVA auditor, “in order for them to stay in compliance with the Court Administration and Legislative mandates, they have selected to use the LawTrak Records Management Computer System and has done so since October 2013.”
- Since 2013, fees and assessments have been categorized and calculated by case type as it relates to the Victim Assistance Fund. All criminal cases as noted are charged with the \$25.00 conviction fee. All cases removes the 11.16% from the State’s portion of the assessments. These funds are specifically flagged to be placed in the Victims Assistance Fund.
- LawTrak is upgraded at least once per month. However if the agency does not upgrade their program within 45 days of their last upgrade, the program will shut down until the system is upgraded. This is done to ensure assessing and collecting fines and surcharges are in compliance with Court Administration and Legislative mandates.
- The City of Liberty is audited once a year with an independent auditing company. This audit includes random drawing of ticket numbers to be tested. Any discrepancies are reported during the presentation of the auditor’s report to the Mayor and City Council.

### **Recommendation(s) and Comments**

**A-1**

**There were no further recommendations.**

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**Objective(s), Conclusion(s), Recommendation(s), and Comments**

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**B. Installment Fee****Objective**

Did the Municipal Court implement procedures to ensure the 3 % installment fee is charged and collected in accordance with State law?

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**Conclusion**

Yes, the Municipal Court has implemented procedures to ensure that all current resources are up to date. During the audit review, the Municipal Court Judge and Court Clerk/Treasurer stated the Court uses LawTrak Records Management Computer System which calculates and ensures the 3 % installment fee is charged and collected in accordance with State law.

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**Background**

Section 14-1-208 (D) of the 1976 South Carolina Code of Laws

City of Liberty Municipal Treasurer 2011-2015 Transaction Report

SC Victim Service Coordinating Council Approved Guidelines for Expenditures of Monies Collected for Crime Victim Service in Municipalities and Counties

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**Discussion**

The State Auditor's initial site visit for the City of Liberty Municipal Court was dated June 30, 2011. The report noted during their testing of the 3 % installment fee that the court assessed and collected the 3% installment fee on one of twenty-five remittances tested.

South Carolina Code of Laws 14-17-725 states that where criminal fines, assessments, or restitution payments are paid through installments, a collection cost charge of 3% of the payment also must be collected by the Clerk of Court, Magistrate, or Municipal Court from the defendant.

The State Auditor's report recommended the Court implement procedures to ensure the installment fee is charged and collected in accordance with State law.

Prior to the SOVA site visit, the auditor requested written procedures from the City that would ensure that installment fees are assessed and collected in accordance with State law. However, these documents were never received.

During the site visit, the Clerk/Treasurer stated the city does not use installment fees because the court requires all fines to be paid in full within 45 days. If the fine is not paid within 45 days, the defendant's driver's license is revoked. Since the Judge would be out of town on the date of the site visit, he requested a telephone conference call during the site visit. During the telephone interview, the Judge stated that the City of Liberty does not use the 3% installment fees. However, he stated it would be a good practice to have written policies and procedures in the event there is a need for the installment fees.

During the course of this audit preparation, the Clerk of Court/Treasurer submitted written procedures for installment fees stating that LawTrak's Records Management System adds and collects the 3% installment fee. The court elected to use the LawTrak Records Management System and has done so since October 2013. As a result, they are now in compliance with Court Administration and Legislative mandates. In an effort to ensure the installment fees are assessed and collected in accordance with State law, the municipal court took the following steps as outlined in the written procedures and as noted below:

- The Clerk of Court/Treasurer submits a Treasurer's Remittance form to the State Treasurer's office by the fifteenth of every month, showing all allocations of fees and surcharges.
- The City of Liberty is also independently audited by an outside accounting firm yearly. Any discrepancies found will be reported to the Mayor and City Council at the conclusion of the audit.

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### **Recommendation(s) and Comments**

**B-1**

**There were no further recommendations.**

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**Objective(s), Conclusion(s), Recommendation(s), and Comments**

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**C. Seatbelt Violations****Objective**

Did the City implement procedures to ensure fines from seatbelt violations are retained by the municipality in accordance with the Court Administration's policy?

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**Conclusion**

Yes, the Municipal Court has implemented procedures to ensure fines from seatbelt violations are retained by the municipality in accordance with the Court Administration's policy. The City deducted the surcharge overpayment from their revenue remittances and transferred the improperly retained amount from the Victim Assistance Fund to the General Fund.

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**Background**

State Treasurer Revenue Remittance Forms (STRRF)

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**Discussion**

The State Auditor's report for the City of Liberty Municipal Court dated June 30, 2011 noted during their testing of collections and remittances that the Court information from the fine revenue from seatbelt violations was reported and remitted incorrectly.

Using the Court's records and the State Treasurer Revenue Remittance Forms (STRRF), the State Auditor determined for the 36 months ending June 30, 2011, the City incorrectly remitted \$8,793.61 of fine revenue from seatbelt violations (\$5,708.61 via Line L and \$3,085 via Line KA) to the State Treasurer's Office. They also improperly retained \$719.77 for victim services.

The State Auditor recommended the City implement procedures to ensure fines from seatbelt violations are retained by the municipality in accordance with Court Administration's policy. They also recommended the City deduct the \$5,708.61 from Line L Municipal 107.5% and the \$3,085 from Line KA Municipal Criminal Justice Academy \$5 Surcharge per STRRF. Also they noted that the over-submitted fines and surcharges of \$8,793.61 should be deducted from future surcharges on the STRRF and documented for auditing purposes.

In addition, they recommended the City transfer \$719.77 from the Victim Assistance Fund to the General Fund. Prior to the site visit, the City Clerk/Treasurer submitted to SOVA documentation showing the \$719.77 transfer from the Victim Assistance Fund to the General Fund.

During the site visit, the SOVA auditor requested the revenue remittances overpayment documentation and written procedures from the city. This documentation would ensure that fines from seatbelt violations are retained by the municipality in accordance with the Court Administration's policy.

After interviewing the Judge and City Clerk/Treasurer, it was determined that the City has implemented procedures to ensure that seatbelt violation fines are retained by the municipality. At the conclusion of the site visit, the City Clerk was asked to submit written policies and procedures for seatbelt violations fines.

While completing this report, the City Clerk/Treasurer submitted the STRRF documentation showing the \$8,793.61 overpayment deduction beginning August 2012 through March 2013 had been reimbursed to the General Fund. The clerk also submitted written process and procedures included in their policy manual to ensure the fines from seatbelt violations are retained by the municipality in accordance with the Court Administration's policy.

The City Clerk/Treasurer stated to the SOVA auditor in order for them to stay in compliance with the Court Administration and Legislative mandates, they have selected to use the LawTrak Computer Records Management System and has done so since October 2013. The Municipal Court took the following steps as outlined in the written policies and procedures for the online State Treasurer Revenue Remittances reports.

- Reports are sent monthly from Harris CSI Accounting System that show the number of seat belt violations.
- The accounts payable clerk reconciles the report on the first of each month from the previous month's report.



- LawTrak is upgraded at least once per month. However, if the agency does not upgrade their program within 45 days of their last upgrade, the program will shut down until the system is upgraded. This is done to ensure assessing and collecting fines and surcharges are in compliance with Court Administration and Legislative mandates.
  - The City of Liberty is audited once a year with an independent auditing company. This audit includes random drawing of ticket numbers to be tested. Any discrepancies are reported during the presentation of the Auditors report to Mayor and Council.
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**Recommendation(s)**  
**and Comments**

**C-1**

**There were no further recommendations.**

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**Objective(s), Conclusion(s), Recommendation(s), and Comments**

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**D. Accounting for Victim Assistance Funds****Objective**

Did the City reimburse the Victim Assistance Fund for the expenditures that were improperly charged and /or not adequately supported by source documentation? Were policies and procedures established and implemented to ensure victim assistance revenue is used only for expenditures in accordance with State law? This would include time and activity reports to document the victim advocate's time and expenses providing direct victim services to crime victims.

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**Conclusion**

Yes, the City did provide documentation showing the reimbursement for the unallowable expenditures that were improperly charged to the Victim Assistance Fund. However, the City did not establish and implement policies and procedures to ensure victim assistance revenue is used only for approved expenditures in accordance with State law. Also, the City did not use time and activity reports to document its victim advocate time and expenses spent on providing direct victim services.

**Background**

Section 14-1-211(B) of the 1976 South Carolina Code of Laws

Section 14-1-208(D) of the 1976 South Carolina Code of Laws

South Carolina Victim Service Coordinating Council Approved Guidelines for Expenditures of Monies Collected for Crime Victim Service in Municipalities and Counties.

State Treasurer Revenue Remittance Forms for FY 11-15

Copy of prior audits for 2012, 2013, 2014

Bank Statements from January 1, 2011- January 30, 2015

Itemized expenditures for July 1, 2011- December 17, 2014

Time and Activity reports from December 1, 2014 to January 30, 2015 along with victim statistical data.

Victim Advocate Job Description with all duties performed.

## **Discussion**

The State Auditor's report for the City of Liberty Municipal Court dated June 30, 2011 noted during their testing of the victim assistance expenditures that the City charged a \$75 registration fee to the Victim Assistance Fund. This was for the Clerk of Court / Victims' Advocate to attend the 2010 Municipal Association of SC Clerk of Court and Court Finance 101 Session which is not an allowable expense.

## **Unallowable Expenditures**

Based on the State Auditor's review and inquiry of City personnel, the auditor determined that the training was not related to victim services. Therefore, the expenditure was unallowable and the \$75 registration fee is required to be reimbursed to the Victim Assistance Fund. They also noted that the City overcharged the Victim Assistance Fund \$55.64 by not properly crediting discounts for cell phone charges to the account. They also noted during the testing of victim assistance expenditures that the City did not maintain adequate documentation to support certain victim assistance expenditures. The City charged \$136 (\$34/day x 4 days) for meal per diem to the Victim Assistance Fund for the Clerk of Court/Victim Advocate to attend the South Carolina Law Enforcement Victim Advocate Conference in November 2010. Fees for this conference is allowable; however, the City could not provide supporting documentation for the daily per diem rate paid to the employee.

In addition, the State Auditor noted that the Victim Assistance Fund included an expenditure of \$99.35 related to use of the city car. According to City personnel, the City's part-time Victim Advocate is on call 24 hours a day and uses the city vehicle to commute from home to work and wherever she is needed for victim service.

The City did not maintain a daily mileage log for the vehicle or prepare any time and activity forms to document the times the Clerk of Court/Victim Advocate was called out in cases to provide direct victim services. Therefore, no documentation was maintained to ensure justification of having an on-call victim advocate and daily expenses charged to the Victim Assistance Fund. The Clerk of Court/Victim Advocate stated she was unaware of the requirement to keep a daily mileage log and time and activity forms.

Section 14-1-208(D) of the 1976 South Carolina Code of Laws, as amended, states, "The revenue retained by the municipality under subsection (B) must be used for the provision of services for the victims of crime including those required by law. These funds must be appropriated for the exclusive purpose of providing victim services as required by Article 15 of Title 16; specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts." The revenue is to be used only for allowable expenditures. Also, guidelines for expenditures of monies collected for crime victim services are outlined in the 2010 South Carolina Victim Service Coordination Council approved guidelines for Expenditures of Monies Collected for Crime Victim Service in Municipalities and Counties.

However, the State Auditor's Office contacted the Deputy Director for the State Office of Victim Assistance (SOVA) on June 5, 2012 while they were conducting the audit. The Deputy Director confirmed that time and activity forms must be kept if an employee is driving a car daily as a part time victim advocate and part time clerk and are not full time employees. She went on to explain this was warranted due to accountability. It was noted by the auditor to the Deputy Director that daily travel expenses were charged to the Victim Assistance Fund that are unallowable. Also, statistical data of victims served were not on file and should have been maintained to justify the need for having an on-call victim advocate and reimbursing them for daily expenditures. Also, the Deputy Director explained the Frequently Asked Questions portion of the SOVA website outlining the procedures that should be followed when preparing time and activity reports and encouraged the auditor to have the victim advocate call SOVA for further detail.

After speaking with the Deputy Director and reviewing all documents, the State Auditor recommended the City reimburse the Victim Assistance Fund \$365.99 for the expenditures that were improperly charged and/or not adequately supported by source documentation for the \$75.00 registration fee, \$55.64 cell phone discounts, \$136.00 per diem costs and \$99.35 vehicle charges.

They further recommended the City establish and implement policies and procedures to ensure victim assistance revenue is used only for expenditures in accordance with State law. This includes use of detailed time and activity reports with mileage logs for the vehicle usage to document the Victim Advocate / Clerk of Court cases in which she provided direct victim services to crime victims.

Prior to the site visit of February 25, 2015, the auditor requested and received three years of bank statements, copies of FY12-14 Supplemental Schedules and the Victim Assistance Account Ledger from July 2011 through January 2015.

After reviewing the above received information, the auditor requested the treasurer to provide documentation for the \$365.99 unallowable expenditures that was reimbursed to the Victim Assistance Fund.

While the audit was being prepared, the treasurer submitted written procedures that ensured the victim assistance revenue was correctly accounted for and ensures future compliance with audit standards in accordance with State law. Documentation was submitted showing the Victim Assistance Funds reimbursed for the \$75.00 registration fee on 5-31-2012. The \$55.64 cell phone discounts, \$136.00 per diem costs and \$99.35 vehicle charges were not transferred to the victim assistance account until March 3, 2015.

During the site visit, the SOVA auditor provided technical assistance to the Police Chief and victim advocate on approved guidelines for allowable expenditures and discussed the documented times that assistance was provided to the victim advocate prior to the SOVA Audit to ensure she was aware of the proper usage of funds and what was required and requested.

Please note below the outline of various conversations with the City regarding the city vehicle as outlined.

### **Vehicle Usage**

- On 9-21-2012-The part time victim advocate called SOVA and inquired about how the VA fund can be used. This was explained to her in detail.
- After reviewing the file, the auditor noted that the Victim Assistance Fund FY12-13 budget had not been received. The budget was requested at that time and received on October 25, 2012.
- On 01-11-2013- A letter from the City Treasurer dated January 10, 2013 was received stating the part time victim advocate's salary is paid from the General Fund. After receiving the letter, the victim advocate was called and the advocate confirmed that she is the only advocate. She stated since she is an on-call victim advocate (twenty-four hours seven days a week) she should not have to keep time and activity reports and drives the vehicle from home to work daily. One of SOVA auditors requested the victim advocate send documentation of vehicle mileage being tracked to provide direct victim services to ensure the vehicle was used properly.
- On 1-15-2013-The victim advocate sent SOVA vehicle mileage logs for June 2012 - August 2012. However, the logs did not show victim services performed and provided to crime victims.
- On 11-20-2014-SOVA called and requested the victim advocate time and activity report with mileage. The victim advocate stated that her logs do not show direct victim services performed.

- She stated that she did not know that she was to keep the T & A's since her salary is being paid from the General Fund. The auditor again reiterated to her that she has to keep time and activity reports because car expenses are coming out of the Victim Assistance Fund. Also, she was reminded of the information noted in the state auditor's report and phone call to our Deputy Director and prior information provided. Additional technical assistance on the time and activity reports was provided again to her. Also, the auditor informed her that crime victim information should be maintained for tracking and accountability purposes.
- At that time, the victim advocate was again requested to maintain a detailed time and activity report.
- On 12-2-2014-SOVA auditors spoke with the Police Chief in detail about SOVA's concerns with the victim advocate taking the vehicle back and forth from work to home daily and that she should be keeping time and activity reports for accountability purposes.
- The Chief of Police stated that the victim advocate was on call full-time and her duties include victim advocate/ notifier /records. The auditor informed him that she should only be using the car when providing direct victim services since again she is not full time.
- On 12-2-2014- SOVA auditors explained to the victim advocate that the Victim Assistance Fund should not be used for gasoline expenses unless it is used to provide direct victim services. The victim advocate questioned what if she is driving her own car to a scene and she has a wreck with the victims in the car? At that time, SOVA's response was that she should not have to use her personal car for transporting victims because officers could provide assistance in this area when warranted. Also, since she lived in close proximity to the police department and she could pick up the city's vehicle for transportation to a shelter as well if needed.

- On 12-19-2014- The auditor received mileage logs from May 2014-August 2014. Upon review, it was noted the victim advocate had started a more detailed mileage log as of December 1, 2014 as requested by SOVA in previous conversations.

After interviewing the treasurer during the site visit, it was determined that although the victim advocate's salary is paid from the General Fund, the City did not have written policies and procedures to ensure that the victim assistance revenue is accounted for in accordance with State law. The auditor discussed with the treasurer and victim advocate the importance of having written procedures and requested the City develop written policies and procedures that would ensure victim assistance revenue is correctly accounted for in accordance with State law.

While the audit was being prepared, the City of Liberty Information Technology personnel emailed the auditor and noted that LawTrak has a victim advocate module. The module is designed to keep track of the victim advocate's time and activity statistical data of victims for any given time frame by case number or activity type.

## **Policies and Procedures**

During the review of the City of Liberty's expenditure report and bank statements, the auditor noted that the victim advocate had in her possession a Visa debit card for victim assistant expenditures. During the site visit, the treasurer stated that she was not aware that the victim advocate had a debit card. She stated that the City of Liberty employees used a city-wide credit card for gas purchases, and the victim advocate's card is not amongst the city cards. After speaking with the victim advocate about the debit card, the auditor explained to the Mayor, City Treasurer and Chief of Police the negative implications of the debit card. This was noted by the auditor not to be a best practice because of the accountability issues.

The auditor explained using the debit card can give the appearance of possible fraud because there are no checks and balances in place for expenditure purchases. Therefore, this is an unacceptable practice.



The auditor immediately requested that the debit card be cancelled within 3 business days and by March 2, 2015 at the latest. However; The victim advocate wanted the auditor to take the debit card during the site visit, however; the auditor explained to the victim advocate that this is not SOVA's policy and requested that documentation showing the debit card was cancelled be submitted to SOVA by March 2, 2015. On February 27, 2015 documentation showing the cancellation of the debit card was received by the auditor.

The auditor also recommended during the site visit that the victim advocate keep agendas of the training events she attends to ensure that the training is approved by Office of Victim Services and Certification (OVSEC). The auditor discussed the importance of maintaining statistical data of victims when preparing the victim assistance time and activity forms to determine the victim advocate's allowable percentage and to have documentation also for victim assistance expenditure reimbursements. At the conclusion of the site visit, the auditor requested the victim advocate submit a revised victim advocate job description to include all duties performed and revise time and activity sheets. The revised job description was submitted March 10, 2015 while preparing this audit report.

The City of Liberty was asked to submit revised victim advocate time and activity forms from December 1, 2014 through February 28, 2015. The auditor received the revised time and activity forms on March 9, 2015 during preparation of the audit report. Upon review of these documents, it was determined that there would be an allowable percentage for expenditures. Therefore, effective December 1, 2014, the victim advocate time and activity allowable percentage to be used for salaries and any purchases related to the program is 9.4%.

The same percentage is to be used also in determining the FY 15-16 Victim Assistance budget. The auditor notified the Chief of Police March 30, 2015, treasurer and victim advocate April 1, 2015 that the effective date is December 1, 2014 for the allowable percentage that the victim advocate can use from the Victim Assistance Fund for the victim advocate's salary and any purchases for the program as 9.4 %.

**Recommendation(s)**  
**and Comments**

**D-1**

**Further review of these issues and concerns will be addressed during the SOVA initial audit.**

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**Objective(s), Conclusion(s), Recommendation(s), and Comments**

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**E. Technical Assistance****Documentation Provided**

During our site visit we explained and provided the following documents:

1. Copy of the Legislative Proviso 97.9
2. Copy of the Legislative Proviso 117.55
3. Copy of a Sample Budget
4. Sample Staff Hired Report
5. Sample Time and Activity Report
6. Sample Expenditure Report
7. Copy of Approved Guidelines
8. Victim Advocate Procedural Manual Review
9. Job Descriptions Update
10. Technical Assistance and Support

**Other Matters**

**SOVA will initiate a Financial Audit and Programmatic Review of the City of Liberty's Victim Assistance Fines, Fees and Assessment Fund. This will assist the City of Liberty in becoming compliant with State laws.**

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## Corrective Action

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*Proviso 117.55 states:*

*“If the State Office of Victim Assistance finds an error, the entity or non-profit organization has ninety days to rectify the error. An error constitutes an entity or non-profit organization spending victim assistance funding on unauthorized items as determined by the State Office of Victims Assistance. If the entity or non-profit organization fails to cooperate with the programmatic review and financial audit or to rectify the error within ninety days, the State Office of Victim Assistance shall assess and collect a penalty in the amount of the unauthorized expenditure plus \$1,500 against the entity or non-profit organization for improper expenditures. This penalty plus \$1,500 must be paid within thirty days of the notification by the State Office of Victim Assistance to the entity or non-profit organization that they are in non-compliance with the provisions of this proviso. All penalties received by the State Office of Victim Assistance shall be credited to the General Fund of the State. If the penalty is not received by the State Office of Victim Assistance within thirty days of the notification, the political subdivision will deduct the amount of the penalty from the entity or non-profit organization’s subsequent fiscal year appropriation.”*

**SOVA completed the State Auditor’s Office 90 Day Follow up review on February 25, 2015.**

**All errors were rectified within the timeframe specified for the 90-days as required for this follow-up audit.**

**However, the City of Liberty did not use time and activity reports to document the victim advocate’s time providing direct victim services and victim service expenses for providing direct victim services to crime victims. Therefore, further review of these issues and concerns will be addressed during the SOVA initial audit that was also conducted on the same day as this 90 Day Follow up review.**

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## **Appendix(s)**

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**Appendix A – State Audit of the City of Liberty Municipal Court  
dated June 30, 2011 (Issued to SOVA June 20, 2012)**

# **APPENDIX A**

**CITY OF LIBERTY MUNICIPAL COURT**

**LIBERTY, SOUTH CAROLINA**

**STATE AUDITOR'S REPORT**

**JUNE 30, 2011**

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# *State of South Carolina*



## *Office of the State Auditor*

1401 MAIN STREET, SUITE 1200  
COLUMBIA, S.C. 29201

RICHARD H. GILBERT, JR., CPA  
DEPUTY STATE AUDITOR

(803) 253-4160  
FAX (803) 343-0723

### INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

June 20, 2012

The Honorable Nikki R. Haley, Governor  
State of South Carolina  
Columbia, South Carolina

The Honorable James E. English, Chief Municipal Judge  
City of Liberty  
Liberty, South Carolina

Ms. Josie Amspacher, City Treasurer  
City of Liberty  
Liberty, South Carolina

We have performed the procedures described below, which were agreed to by the management of the City of Liberty and the City of Liberty Municipal Court, solely to assist you in evaluating the performance of the City of Liberty Municipal Court for the fiscal year ended June 30, 2011, in the areas addressed. The City of Liberty and the City of Liberty Municipal Court are responsible for its financial records, internal controls and compliance with State laws and regulations. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the specified parties in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

1. **Clerk of Court**

- We gained an understanding of the policies and procedures established by the Clerk of Court to ensure proper accounting for all fines, fees, assessments, surcharges, forfeitures, escheatments, or other monetary penalties.
- We obtained court dockets for the fiscal year ended June 30, 2011 from the Clerk of Court. We randomly selected 25 cases from the court dockets and recalculated the fine, fee, assessment and surcharge calculation to ensure that the fine, fee, assessment or surcharge was properly allocated in accordance with applicable State law. We also determined that the fine, fee, assessment and/or surcharge adhered to State law and to the South Carolina Court Administration fee memoranda.

The Honorable Nikki R. Haley, Governor  
and  
The Honorable James E. English, Chief Municipal Judge  
Ms. Josie Amspacher, City Treasurer  
City of Liberty  
June 20, 2012

- We tested recorded court receipt transactions to determine that the receipts were remitted in a timely manner to the City Treasurer in accordance with State law.

Our findings as a result of these procedures are presented in Assessment and Collection of Surcharges, Installment Fee, and Seatbelt Violations in the Accountant's Comments section of this report.

2. **City Treasurer**

- We gained an understanding of the policies and procedures established by the City to ensure proper accounting for court fines, fees, assessments, surcharges, forfeitures, escheatments, or other monetary penalties.
- We obtained copies of all State Treasurer's Revenue Remittance Forms submitted by the City for the fiscal year ended June 30, 2011. We agreed the line item amounts reported on the State Treasurer's Revenue Remittance Forms to the monthly court remittance reports and to the State Treasurer's receipts. We also agreed the total revenue due to the State Treasurer to the general ledger.
- We determined if the State Treasurer's Revenue Remittance Forms were submitted in a timely manner to the State Treasurer in accordance with State law.
- We verified that the amounts reported by the City on its supplemental schedule of fines and assessments for the fiscal year ended June 30, 2010 agreed to the State Treasurer's Revenue Remittance Forms and to the City's general ledger. We also determined if the supplemental schedule of fines and assessments contained all required elements in accordance with State law.

We found no exceptions as a result of the procedures.

3. **Victim Assistance**

- We gained an understanding of the policies and procedures established by the City to ensure proper accounting for victim assistance funds.
- We made inquiries and performed substantive procedures to determine if any funds retained by the City for victim assistance were accounted for in a separate account.
- We tested judgmentally selected expenditures to ensure that the City expended victim assistance funds in accordance with State law and South Carolina Court Administration Fee Memoranda, Attachment L.
- We determined if the City reported victim assistance financial activity on the supplemental schedule of fines and assessments in accordance with State law.
- We inspected the City's general ledger to determine if the Victim Assistance Fund balance was retained as of July 1 from the previous fiscal year in accordance with State law.

Our finding as a result of these procedures is presented in Accounting for Victim Assistance Funds in the Accountant's Comments section of this report.

The Honorable Nikki R. Haley, Governor  
and  
The Honorable James E. English, Chief Municipal Judge  
Ms. Josie Amspacher, City Treasurer  
City of Liberty  
June 20, 2012

4. **Status of Prior Findings**

- We inquired about the status of findings reported in the Accountant's Comments section of the State Auditor's Report for the twelve month period ended March 31, 2007 and dated April 25, 2007, to determine if the City had taken adequate corrective action.

Our findings as a result of these procedures are presented in Assessment and Collection of Surcharges and Accounting for Victim Assistance Funds in the Accountant's Comments section of this report.

We were not engaged to and did not conduct an audit, the objective of which would be the expression of an opinion on compliance with the collection and distribution of court generated revenue at any level of court for the twelve months ended June 30, 2011, and, furthermore, we were not engaged to express an opinion on the effectiveness of internal controls over compliance with the laws, rules and regulations described in paragraph one and the procedures of this report. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Governor, Chairman of the House Ways and Means Committee, Chairman of the Senate Finance Committee, Chairman of the House Judiciary Committee, Chairman of the Senate Judiciary Committee, members of the City of Liberty City Council, City of Liberty Municipal Judge, City of Liberty Clerk of Court, City of Liberty Treasurer, State Treasurer, State Office of Victim Assistance, and the Chief Justice and is not intended to be and should not be used by anyone other than these specified parties.



Richard H. Gilbert, Jr., CPA  
Deputy State Auditor

**ACCOUNTANT'S COMMENTS**

## **SECTION A – VIOLATIONS OF STATE LAWS, RULES OR REGULATIONS**

Management of the entity is responsible for establishing and maintaining internal controls to ensure compliance with State Laws, Rules or Regulations governing court collections and remittances. The procedures agreed to by the entity require that we plan and perform the engagement to determine whether any violations of State Laws, Rules or Regulations occurred.

The conditions described in this section have been identified as violations of State Laws, Rules or Regulations.

## **ASSESSMENT AND COLLECTION OF SURCHARGES**

### **Law Enforcement Funding Surcharge**

The Court did not assess and collect the \$25 law enforcement funding surcharge on seven of the twenty-five remittances tested.

The Clerk of Court stated she was unaware this surcharge should be levied on municipal violations.

Section 14-1-212 (A) of the 1976 South Carolina Code of Laws, as amended, states, "In addition to all other assessments and surcharges, a twenty-five dollar surcharge is imposed on all fines, forfeitures, escheatments, or other monetary penalties imposed in the general sessions court or in magistrates or municipal court for misdemeanor traffic offenses or for nontraffic violations. "

### **Criminal Justice Academy Surcharge**

The Court did not assess and collect the \$5 criminal justice academy surcharge on one out of twenty-five remittances tested.

The Clerk of Court could not explain why this surcharge was not levied on this particular case.

Proviso 90.5 (A) of the 2010-2011 Appropriations Act, states, "In addition to all other assessments and surcharges, during the current fiscal year, a five dollar surcharge to fund training at the South Carolina Criminal Justice Academy is also levied on all fines, forfeitures, escheatments, or other monetary penalties imposed in the general sessions court or in magistrates' or municipal court for misdemeanor traffic offenses or for nontraffic violations."

### Recommendation

We recommend the Court implement procedures to ensure surcharges are properly assessed and collected in accordance with State law.

### **INSTALLMENT FEE**

The Court assessed and collected the three percent installment fee on one of twenty-five remittances tested.

The Clerk of Court stated the former Municipal Judge gave the individual time to pay the fine and charged a “time payment” fee because the individual did not pay the fine until after the plea date. The Clerk of Court also stated that currently the Court requires all fines to be paid in full in one payment and a collection fee is not added to the total amount due.

Section 14-17-725 of the 1976 South Carolina Code of Laws, as amended, states, “Where criminal fines, assessments, or restitution payments are paid through installments, a collection cost charge of three percent of the payment also must be collected by the clerk of court, magistrate, or municipal court from the defendant...”

We recommend the Court implement procedures to ensure the installment fee is charged and collected in accordance with State law.

## **SEATBELT VIOLATIONS**

Section II. A. 1. of the South Carolina Court Administration Fee Memorandum dated June 24, 2010 states, "Generally, the revenue generated from criminal fines, penalties, and forfeitures in municipal court is retained by the municipality."

During our testing of Municipal Court collections and remittances, we noted the City reported and remitted part of the fine revenue from seatbelt violations on Line K – Law Enforcement Surcharge and Line KA – Municipal Criminal Justice Academy \$5 Surcharge on the State Treasurer Revenue Remittance Form (STRRF). The City also retained part of the fine revenue from seatbelt violations as the victim services assessment reported on Line N – Assessments – Municipal. Using the Court's records and the STRRF, we determined for the 36 months ended June 30, 2011, the City incorrectly remitted \$8,793.61 of fine revenue from seatbelt violations (\$5,708.61 via Line L and \$3,085 via Line KA) to the State and improperly retained \$719.77 for victim services.

The Clerk of Court stated this was due to an error in the City's court accounting system.

We recommend the City implement procedures to ensure fines from seatbelt violations are retained by the municipality in accordance with Court Administration policy. We also recommend the City deduct the \$5,708.61 from Line L – Municipal 107.5% and the \$3,085 from Line – KA – Municipal Criminal Justice Academy \$5 Surcharge, respectively, on future STRRF and document as such for auditing purposes. In addition, we recommend the City transfer \$719.77 from the victim assistance fund to the General Fund.



## **ACCOUNTING FOR VICTIM ASSISTANCE FUNDS**

During our testing of victim assistance expenditures we noted the City charged a \$75 registration fee to the victim services fund for the Clerk of Court/Victim's Advocate to attend the 2010 Municipal Association of SC Clerk of Court and Court Finance 101 Session. Based on our review and inquiry of City personnel, we determined this training was not related to victim services and therefore the expenditure was unallowable. We also noted the City overcharged the victim assistance fund by \$55.64 by not properly crediting discounts for cell phone charges to the account. According to City personnel, these unallowable charges were due to oversight.

We further noted during our testing of victim assistance expenditures that the City did not maintain adequate documentation to support certain victim assistance expenditures. The City charged \$136 (\$34/day x 4 days) for meal per diem to the victim services fund for the Clerk of Court/Victim's Advocate to attend the SCLEVA conference in November 2010. The City could not provide support to document the daily per diem rate paid to the employee. In addition, we noted that the victim service fund included an expenditure (\$99.35) related to use of the city car. According to City personnel, the City's part-time Victim's Advocate is on call 24 hours a day and uses a city vehicle to commute from home to work and to wherever she is needed for victim services cases. The City did not maintain a daily mileage log for the vehicle or prepare any time and activity forms to document the times the Clerk of Court/Victim's Advocate was called out for victim services cases to justify having an on-call Victim's Advocate and to justify daily expenses charged to the victim services fund. The Clerk of Court/Victim Advocate stated she was unaware of the requirement to keep a daily mileage log and time and activity forms.

Section 14-1-208(D) of the 1976 South Carolina Code of Laws, as amended, states, “The revenue retained by the municipality under subsection (B) must be used for the provision of services for the victims of crime including those required by law. These funds must be appropriated for the exclusive purpose of providing victim services as required by Article 15 of Title 16; specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts.” Also, South Carolina Court Administration Memorandum, Attachment L, effective June 2010, and the South Carolina Victim Service Coordination Council, Suggested Guide for Expenditures of Monies Collected for Crime Victim Service in Municipalities and Counties, effective January 2010, set forth guidelines for expenditures of monies collected for crime victim services. In addition, Ethel Ford, Program Manager for the State Office of Victim Assistance (SOVA), stated that time and activity forms must be kept if an employee is driving a car daily as a part time advocate and part time clerk and daily travel expenses are being charged to the victim assistance fund. Also, statistical data of victims served should be maintained to justify the need for having an on-call victim advocate and reimbursing them for daily expenditures. Further, the Frequently Asked Questions portion of the SOVA’s website outlines the procedures that should be followed when preparing time and activity reports.

We recommend the City reimburse the victim assistance fund for the expenditures that were improperly charged and/or not adequately supported by source documentation. We also recommend the City establish and implement policies and procedures to ensure victim assistance revenue is used only for expenditures in accordance with State law, including the use of time and activity reports to document its Clerk of Court/Victim’s Advocate time and expenses spent on victim services cases.

## **SECTION B – STATUS OF PRIOR FINDINGS**

During the current engagement, we reviewed the status of corrective action taken on each of the findings reported in the Accountant's Comments section of the Report on Agreed Upon Procedures of the City of Liberty Municipal Court for the twelve month period ended March 31, 2007 and dated April 25, 2007. We determined that the City of Liberty has taken adequate corrective action on the deficiency titled Schedule of Fines, Assessments and Surcharges. We also determined that the deficiency outlined in the finding titled Victim Assistance Expenditures still exists; consequently we have reported a similar finding in Accounting for Victim Assistance Funds in Section A of the report. For the deficiency outlined in the finding titled Improperly Allocating Child Restraint Violation Collections, we determined the Court has taken adequate corrective action. However, we noted additional deficiencies during our testwork, which will be reported in Assessment and Collection of Surcharges in Section A of the report.

**CITY'S RESPONSE**

MAYOR  
R. MICHAEL SHERIFF

# CITY OF LIBERTY



206 West Front Street • P.O. Box 716  
Liberty, South Carolina 29657  
Telephone: 864-843-3177 Fax: 864-843-9400

CITY  
CLERK/BUSINESS  
LICENSE OFFICIAL  
V. Sue Woods

CITY COUNCIL

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Walt McJunkin  
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WATER/STORM  
WATER/VEHICLE  
MAINTENANCE  
Olen Hamlin

PUBLIC WORKS  
Barry Chappell

RECREATION  
Tony Boiter

BUILDING OFFICIAL  
Richard Davidson

August 24, 2012

Richard H. Gilbert, Jr., CPA  
Deputy State Auditor  
1401 Main Street, Suite 1200  
Columbia, SC 29201

RE: Letter dated August 14, 2012

Dear Mr. Gilbert:

This is in response to the above reference letter and to let you know that we have complied with your recommendation to transfer the funds in question into the proper accounts. We have also implemented procedures that will prevent this problem from reoccurring. We authorize you to release the report.

If we can be of further assistance, and if you have any recommendations, please feel free to contact us.

Sincerely,

James E. English  
Chief Municipal Judge

  
JEE:sw

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# Official Post-Audit Response

**The City has 5 business days from the date listed on the front of this report to provide a written response to the SOVA Director:**

**Larry Barker, Ph.D.  
1205 Pendleton St., Room 401  
Columbia, SC 29201**

**At the end of the five day response period, this report and all post-audit responses (located in the Appendix) will become public information on the State Office of Victim Assistance (SOVA) website:**

**[www.sova.sc.gov](http://www.sova.sc.gov)**



State of South Carolina  
Office of the Governor

NIKKI R. HALEY  
GOVERNOR

OFFICE OF EXECUTIVE  
POLICY AND PROGRAMS

Programmatic Review Completed by:

Robin Eaddy  
Robin Eaddy, Auditor

5-14-15  
Date

Reviewed by:

Richelle A. Copeland, Sr. Auditor  
Richelle A. Copeland, Sr. Auditor

5-14-15  
Date

Ethel Douglas Ford  
Ethel Douglas Ford, CPM, Deputy Director

5/14/15  
Date

Larry Barker  
Larry Barker, Ph.D. Director

5/14/15  
Date